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Attorneys for Estate of Arvel Rogers

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

In re
PG&E CORPORATION
-and-
PACIFIC GAS AND ELECTRIC
COMPANY,
Debtors.

☐ Affects PG&E Corporation
☐ Affects Pacific Gas and Electric
Company

☒ Affects both Debtors

**All papers shall be filed in the Lead
Case, No. 19-30088 (DM)*

Bankruptcy Case No. 19-30088 (DM)

Chapter 11
(Lead Case)
(Jointly Administered)

**MOTION TO ALLOW/DEEM
TIMELY LATE FILING OF PROOF
OF CLAIM BY GLEN EATON,
ADMINISTRATOR OF THE ESTATE
OF ARVEL ROGERS;
MEMORANDUM OF POINTS AND
AUTHORITIES; DECLARATION OF
MARK JOHNSON; DECLARATION
OF BRENDAN KUNKLE**

Judge: Hon. Dennis Montali
Date: October 13, 2020
Time: 10:00 a.m.
Place.: (Telephonic/Video Appearances
Only)
United States Bankruptcy Court
Courtroom 17,
450 Golden Gate Ave., 16th Floor
San Francisco, CA

Objection Deadline: October 6, 2020

1 TO THE HONORABLE DENNIS MONTALI, UNITED STATES BANKRUPTCY
2 COURT JUDGE, THE OFFICE OF THE UNITED STATES TRUSTEE, AND ALL
3 INTERESTED PARTIES:

4 The firms of Abbey, Weitzenberg, Warren & Emery and Walkup, Melodia,
5 Kelly & Schoenberger, together with several other firms, represent thousands of
6 victims of the Fires started by PG&E in 2017 (generally referred to as the “North Bay
7 Fires”) and 2018 (“Camp Fire”).

8 Abbey, Weitzenberg, Warren & Emery and Walkup, Melodia, Kelly &
9 Schoenberger respectfully file this motion “Motion” on behalf of Glen Eaton
10 (“Movant”), Administrator of the Estate of Arvel Rogers (“Estate”) to deem timely late
11 filing of proof of claim (“Subject Proof of Claim”).

12 **I. SUMMARY OF ARGUMENT**

13 A proof of claim may be deemed timely upon a showing of excusable neglect
14 and lack of prejudice. In this case, due to factors outside of Movant’s control, Movant
15 was unable to timely file a proof of claim. Because there is no danger of prejudice to
16 the Debtors as Debtors’ estates are solvent, and all creditors stand to be paid, the
17 Motion should be granted to allow Movant to have Subject Proof of Claim deemed
18 timely. This Court must determine whether to grant the Motion.

19 **II. FACTUAL BACKGROUND**

20 **A. Movants’ Claims Arising From Camp Fire**

21 Arvel Rogers died on March 21, 2018 owning two parcels of property in
22 Paradise, California on which were located a residence, a rental house, and a
23 business. Debbie Dutter lived with the decedent in his Paradise home. Ms. Dutter
24 worked part-time at the decedent’s business, Antiques and Uniques, which was
25 across the street from the decedent’s residence.

26 Following the death of Mr. Rogers, Ms. Dutter and her attorney Thomas E.
27 Baker petitioned to be appointed as the Estate representative of Arvel Rogers. This
28 case is docketed in the County of Butte as 18PR00249. Butte County issued letters of

1 administration to Debbie Dutter on October 19, 2018. A true and correct copy of these
2 letters is attached as Exhibit A.

3 On November 8, 2018, the Camp Fire destroyed all that Arvel Rogers had
4 owned at his residence, rental house, and his business. In addition, the Camp Fire
5 destroyed Debbie Dutter's residence, her part-time job, as well as all of her
6 possessions. The Camp Fire left Ms. Dutter without a home, clothes, or
7 transportation. She was unemployed and indebted. As such, Debbie Dutter's primary
8 focus was on resolving her own personal disaster, which drew her attention away
9 from the needs of the decedent's Estate. Moreover, the Camp Fire rendered Ms.
10 Dutter unbondable.

11 Without the requisite bonding, the Estate was left without a representative
12 who could handle the many tasks necessary to protect Estate assets, to process
13 insurance claims, and to ensure that the Estate's claims against the Debtors were
14 protected. Despite repeated efforts, the bonding issue was never resolved, and it
15 continued to hamper Ms. Dutter's abilities to marshal Estate assets, to determine
16 Estate creditors, to inventory and to appraise Estate assets, and to manage Estate
17 beneficiaries, creditors, vendors, and insurance agents, as well as liaise with
18 attorneys and city, county, state and federal officials.

19 Ms. Dutter was repeatedly in court to resolve the bonding issue, which had
20 become her sole focus in administering the Estate. To complicate matters further, the
21 Camp Fire destroyed both the home and business of Debbie Dutter's attorney,
22 Thomas E. Baker. Mr. Baker's focus was likewise trained on recovering from these
23 devastating losses, rather than on the matters of the Estate.

24 By July 2019, the challenges of administering the Estate while managing
25 personal losses appeared to have overwhelmed Ms. Dutter and Mr. Baker. In an
26 apparent attempt to resolve these challenges, Ms. Dutter and Mr. Baker filed an
27 account and report asserting that all of the business of the Estate had been
28 concluded, which implied that all the issues raised by the Camp Fire had been

1 resolved, and that the Estate was ready to make a final distribution and then close.

2 Review of Ms. Dutter's petition revealed a host of substantial defects,
3 including: Estate assets had not been inventoried or appraised; creditor claims had
4 not been addressed; approval to pay improper creditor claims had been requested;
5 insurance payments with creditors had not been resolved; and the account failed to
6 balance. Due to these shortcomings, the Estate beneficiaries petitioned to replace Ms.
7 Dutter with Glen Eaton, a professional fiduciary. Ms. Dutter opposed the petition.

8 On November 26, 2019, the Butte County Superior Court issued new letters of
9 administration, naming Glen Eaton as the Administrator of the Estate. A true and
10 correct copy of these letters is attached as Exhibit B. Ms. Dutter did not cooperate
11 with Mr. Eaton in the transition of the Estate administration. While Ms. Dutter
12 timely filed multiple proofs of claim for her personal damages, she did not file any
13 claims for the Estate.

14 After Mr. Eaton assumed the role of Estate representative, he was unable to
15 obtain any substantial Estate files or information from Ms. Dutter. Ms. Dutter
16 persisted in asserting that the estate was ready to close, and that all that remained
17 was for Ms. Dutter to paid. Mr. Eaton worked diligently to administer the Estate, to
18 locate Estate assets, to recover missing and lost bank statements, to identify Estate
19 creditors, to address creditor claims, to sort out the insurance payments and claims
20 on those payments, and to account for assets, receipts and expenditures. Mr. Eaton
21 conducted all of these activities without any physical paper trail because Ms. Dutter
22 had not replaced any of the Estate records burnt in the Camp Fire. It took months of
23 investigation for Mr. Eaton to determine that neither Ms. Dutter nor the Estate
24 attorney, Mr. Thomas Baker, had filed a proof of claim on behalf of the Estate. In
25 April 2020, Mr. Baker conveyed to Mr. Eaton for the first time that no proof of claim
26 had been filed on behalf of the Estate. Upon learning this, Mr. Eaton contacted
27 retained counsel to file a proof of claim on behalf of the estate.

28 It was subsequently discovered that no one had properly filed a proof of claim

1 naming the Estate as Creditor, though various creditors have filed no fewer than 17
2 proofs of claim asserting claims stemming from damage to parcels held by the Estate
3 at the time of the Camp Fire (Claim Numbers 43629, 39200, 75843, 79606, 69025,
4 39202, 39201, 86358, 70244, 61796, 59818, 84618, 85716, 97671, 61084, 103411 and
5 60119). None of these proofs of claims asserted claims on behalf of the Estate.

6 On May 22, 2020, Walkup, Melodia, Kelly & Schoenberger filed claim number
7 105645 ("Subject Proof of Claim") on behalf of Movant. A true and correct copy of the
8 Subject Proof of Claim is attached as Exhibit C.

9 **B. General Procedural Background**

10 On January 29, 2019, PG&E Corporation and Pacific Gas and Electric
11 Company ("Debtors" or "PG&E") commenced with the Court voluntary cases
12 ("Chapter 11 Cases") under chapter 11 of the United States Code ("Bankruptcy
13 Code"). PG&E's chapter 11 filings were necessitated by a confluence of factors
14 resulting from catastrophic fires that occurred in Northern California prior to the
15 Petition Date, and PG&E's potential liabilities arising therefrom.

16 Since, the Debtors continue to operate their businesses and manage their
17 properties as debtors in possession pursuant to 11 U.S.C. §§ 1107(a) & 1108, the
18 Debtors' Chapter 11 Cases are being jointly administered for procedural purposes
19 only pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure
20 ("FRBP").

21 **C. Plan, Disclosure Statement, and the Solicitation Procedures**
22 **Motion**

23 On January 31, 2020, as Dk. No. 5590, the Debtors filed an Amended Chapter
24 11 Plan Debtors' and Shareholder Proponents' Joint Chapter 11 Plan of
25 Reorganization Dated January 31, 2020.

26 On February 7, 2020, as Dk. No. 5700, the Debtors filed a Disclosure
27 Statement for the Amended Plan.

28 On February 19, 2020, as Dk. No. 5835, the Debtors filed Motion for Entry of

1 an Order (I) Approving Form and Manner of Notice of Hearing on Proposed
2 Disclosure Statement; (II) Establishing and Approving Plan Solicitation and Voting
3 Procedures; (III) Approving Forms of Ballots, Solicitation Packages, and Related
4 Notices; and (IV) Granting Related Relief (the “Solicitation Procedures Motion”).

5 On March 16, 2020, as Dk. No. 6320, the Debtors filed the Amended Chapter
6 11 Plan Debtors' and Shareholder Proponents' Joint Chapter 11 Plan of
7 Reorganization Dated March 16, 2020.

8 On March 17, 2020, the Solicitations Procedures Motion was approved and the
9 Disclosure Statement and Plan circulated for votes.

10 The Debtors Amended Chapter 11 Plan Debtors' and Shareholder Proponents'
11 Joint Chapter 11 Plan of Reorganization Dated March 16, 2020 [Docket No. 6320]
12 was amended on May 22, 2020 [Docket No. 7521], and on June 19, 2020 [Docket No.
13 8048].

14 On June 20, 2020, an order was issued confirming Debtors' and Shareholder
15 Proponents' Joint Chapter 11 Plan of Reorganization Dated June 19, 2020 [Docket
16 No. 8053].

17 **D. Extended Bar Date for Fire Victim Creditors**

18 The deadline for filing proofs of claim with respect to any prepetition claim
19 including, but not limited to, all claims of Fire Claimants, Wildfire Subrogation
20 Claimants, Governmental Units and Customers, and for the avoidance of doubt,
21 including all secured claims and priority claims, against either of the Debtors was
22 October 21, 2019 at 5:00 p.m. (“General Bar Date”). The deadline for filing claims
23 was extended to December 31, 2019 (“Extended Bar Date”), solely for the benefit of
24 any non-governmental Fire Claimants who did not filed Proofs of Claim by the
25 General Bar Date.

26 **III. LEGAL ARGUMENT**

27 In a Chapter 11 case, the time to file a proof of claim may be extended under
28 certain circumstances. Fed. R. Bank. Pro. 3003(c)(3); Fed. R. Bank. Pro. 9006(b)(1).

1 The bankruptcy court has “broad equitable powers” in a Chapter 11 case with respect
2 to the timing requirement for proofs of claim. *Pioneer Inventory Services v. Brunswick*
3 *Associates Limited Partnership*, 507 U.S. 380, 389 (1993). All in all, Rule 9006(b)(1)
4 allows “late filings caused by inadvertence, mistake, or carelessness, not just those
5 caused by intervening circumstances beyond the party's control.” *Id.*, at 381. Even a
6 creditor that did in fact receive notice may file a proof of claim notwithstanding the
7 expiration of a claims bar date in a Chapter 11 case upon a showing of “excusable
8 neglect.” *Id.* At 394-95 (“Had respondents here been prevented from complying with
9 the bar date by an act of God or some other circumstance beyond their control, the
10 Bankruptcy Court plainly would have been permitted to find ‘excusable neglect’
11 [under FRBP 9006].”). In considering whether a creditor’s failure was the product of
12 “excusable neglect,” the court should take “account of all relevant circumstances
13 surrounding the party’s omission,” including “the danger of prejudice to the debtor,
14 the length of the delay and its potential impact on judicial proceedings, the reason for
15 the delay, including whether it was within the reasonable control of the movant, and
16 whether the movant acted in good faith.” *Id.* at 395; *see also Corning v. Corning (In re*
17 *ZiLOG, Inc.)*, 450 F.3d 996 (9th Cir. 2006) (noting *Pioneer*’s non-exhaustive list of
18 relevant factors). Again, a late-filed proof of claim is allowable where a creditor had
19 actual notice of the bankruptcy but, due to some external reason, failed to file a proof
20 of claim or did not realize that she had to, before the bar date. *See, e.g., ZiLOG, Inc.*
21 *v. Corning (In re ZiLOG, Inc.)*, 450 F.3d 996, 1003-07 (9th Cir. 2006) (applying the
22 *Pioneer* factors). All in all, Rule 9006(b)(1) allows “late filings caused by inadvertence,
23 mistake, or carelessness, not just those caused by intervening circumstances beyond
24 the party's control.” *Pioneer*, 507 U.S. at 381. Here, consideration of all four *Pioneer*
25 factors – as well as a fifth engrafted onto the *Pioneer* analysis by some courts –
26 weighs in favor of Movant.

27 Because in this case there is no danger of prejudice to the Debtors, the first
28 *Pioneer* factor weighs overwhelmingly in Movant’s favor. Debtors’ estates are solvent,

1 and all creditors stand to be paid. *See, e.g., In re Best Payphones, Inc.*, 523 B.R. 54,
2 75-6 (Bankr. S.D.N.Y. 2015) and *In re Sheehan Mem'l Hosp.*, 507 B.R. 802, 803
3 (Bankr. W.D.N.Y. 2014) (where the chapter 11 estate is solvent, “the proper remedy
4 for a late filing is not the expungement of a claim, but its allowance as a tardily filed
5 claim only.). Secondly, immediately, upon receiving all the necessary information the
6 Subject Proof of Claim was filed. Thirdly, the delay in filing the Subject Proofs of
7 Claim is reasonable considering at the time of the bar date Movant had only recently
8 assumed administration of the Estate, and it took months to get the information he
9 needed from the previous Administrator and other sources in order to comprehend
10 that the Estate had not filed a Proof of Claim. By the time Movant understood that
11 no proof of claim had been filed naming the Estate as creditor, the Extended Bar
12 Date had passed. Lastly, any prospect of prejudice beyond solvency is unlikely given
13 (a) distributions have not been made; and (b) the value of Movants’ claims relative to
14 the value of Debtors’ estates is low. *See, e.g., In re Keene Corp.*, 188 B.R. 903, 910
15 (Bankr. S.D.N.Y. 1995) (size of the late claim in relation to the estate is a
16 consideration in determining prejudice).

17 **IV. CONCLUSION**

18 For the reasons set forth above, the Movant respectfully request that this
19 Court enter an order pursuant to Bankruptcy Rule 9006(b)(1) as follows:

- 20 1. Granting the Motion;
21 2. Finding that Subject Proof of Claim filed by Movant is to be allowed as
22 having been timely filed; and

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3. Granting such other or further relief as the Court deems just and proper.

Dated: August 31, 2020

ABBEY, WEITZENBERG, WARREN & EMERY, PC

By: /s/ Brendan Kunkle

BRENDAN KUNKLE (SBN 173292)
ABBEY, WEITZENBERG, WARREN &
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bkunkle@abbeylaw.com
Attorneys for Estate of Arvel Rogers

Dated: August 31, 2020

WALKUP, MELODIA, KELLY & SCHOENBERGER

By: /s/ Max Schuver

MAX SCHUVER (SBN 273004)
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Attorneys for Estate of Arvel Rogers

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CERTIFICATE OF SERVICE

I hereby certify that on August 31, 2020, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system.

By: /s/ Brendan Kunkle
BRENDAN KUNKLE

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EXHIBIT 1

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1 assets.

2 13. On November 26, 2019, the Butte County Superior Court issued new
3 letters of administration, naming as Administrator of the Estate Glen Eaton, a
4 professional fiduciary. A true and correct copy of these letters is attached hereto as
5 **Exhibit B.**

6 14. While Mr. Eaton was putting the affairs of the Estate in order, and
7 before Mr. Eaton discovered that the previous Administrator had not properly filed a
8 proof of claim on behalf of the Estate, the Extended Bar Date, December 31, 2019
9 passed.

10 15. In April 2020, Mr. Baker conveyed to Mr. Eaton for the first time that
11 no proof of claim had been filed on behalf of the Estate.

12 I declare under penalty of perjury under the laws of the State of California
13 that the forgoing is true and correct and executed this 31st day of August 2020.

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16 By: /s/ Mark Johnson
17 MARK JOHNSON
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1 **DECLARATION OF BRENDAN KUNKLE**

2 I, BRENDAN KUNKLE, say and declare as follows:

3 1. I am an individual over 18 years of age and competent to make this
4 Declaration.

5 2. If called upon to do so, I could and would competently testify as to the
6 facts set forth in this Declaration.

7 3. The facts set forth below are true of my personal knowledge.

8 4. I am an attorney at law duly admitted to practice before this Court and
9 courts of the State of California.

10 5. I am an attorney with the law firm of Abbey, Weitzenberg, Warren &
11 Emery, PC, attorneys of record for hundreds of victims of the fires started by PG&E
12 in 2017 (the numerous fires generally referred to as the “North Bay”), and 2018
13 (“Camp Fire”).

14 6. I make this Declaration in support of the motion to allow late filing of a
15 proof of claim (“Motion”) on behalf of Glen Eaton (“Movant”) in his capacity as
16 Administrator of the Estate of Arvel Rogers (“Estate”). The Estate is represented by
17 Walkup, Melodia, Kelly & Schoenberger.

18 7. Movant did not have a claim filed before the December 31, 2019 claims
19 bar date due to unavoidable and excusable delay and should be allowed to file a proof
20 of claim after the bar date.

21 8. Following the Debtors’ petition for chapter 11 bankruptcy, no fewer than
22 17 proofs of claim were filed in the instant docket asserting claims of damages
23 related to the addresses of the Estate properties described above. These proofs of
24 claim include claim numbers 43629, 39200, 75843, 79606, 69025, 39202, 39201,
25 86358, 70244, 61796, 59818, 84618, 85716, 97671, 61084, 103411 and 60119.

26 9. Among those enumerated above are multiple proofs of claim filed by Ms.
27 Dutter, Administrator of the Estate during that time.

28 10. None of those proofs of claim enumerated above asserted claims on

1 behalf of the Estate, the true and correct Creditor in possession of asserted real
2 property claims.

3 11. On May 22, 2020, my co-counsel at Walkup, Melodia, Kelly &
4 Schoenberger filed claim number 105645 ("Subject Proof of Claim") on behalf of the
5 Movant. A true and correct copy of the Subject Proof of Claim is attached hereto as
6 **Exhibit C.**

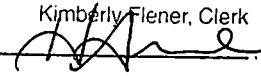
7 I declare under penalty of perjury under the laws of the State of California
8 that the forgoing is true and correct and executed this 31st day of August 2020.

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11 By: /s/ Brendan Kunkle
12 BRENDAN KUNKLE
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EXHIBIT A

Letters of Administration
issued October 19, 2018

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Thomas E. Baker, Esq SBN: 161514 A Law Corporation 722 Fir Street Paradise, Ca 95969		TELEPHONE AND FAX NOS.: 530-872-3515	FOR COURT USE ONLY <div style="border: 1px solid black; padding: 5px; margin: 0 auto; width: 80%;"> Superior Court of California County of Butte OCT 19 2018 Kimberly Flener, Clerk By <u></u> Deputy </div>
ATTORNEY FOR (Name): Debra J. Dutter SUPERIOR COURT OF CALIFORNIA, COUNTY OF Butte STREET ADDRESS: 1775 Concord Avenue MAILING ADDRESS: CITY AND ZIP CODE: Chico, CA 95928 BRANCH NAME:		AMENDED	
ESTATE OF (Name): <div style="text-align: center; padding: 10px;">Arvel Russell Rogers</div>		DECEDENT	
<div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> TESTAMENTARY <input type="checkbox"/> OF ADMINISTRATION WITH WILL ANNEXED </div> <div style="text-align: center;"> LETTERS </div> <div> <input checked="" type="checkbox"/> OF ADMINISTRATION <input type="checkbox"/> SPECIAL ADMINISTRATION </div> </div>		CASE NUMBER: <div style="font-size: 1.5em; font-weight: bold;">18PR 00249</div>	

LETTERS

1. ☐ The last will of the decedent named above having been proved, the court appoints (name):
 - a. ☐ executor.
 - b. ☐ administrator with will annexed.
2. ☒ The court appoints (name):
Debra J. Dutter
 - a. ☒ administrator of the decedent's estate.
 - b. ☐ special administrator of decedent's estate
 - (1) ☐ with the special powers specified in the Order for Probate.
 - (2) ☐ with the powers of a general administrator.
 - (3) ☐ letters will expire on (date):
3. ☒ The personal representative is authorized to administer the estate under the Independent Administration of Estates Act ☐ with full authority ☒ with limited authority (no authority, without court supervision, to (1) sell or exchange real property or (2) grant an option to purchase real property or (3) borrow money with the loan secured by an encumbrance upon real property).
4. ☐ The personal representative is not authorized to take possession of money or any other property without a specific court order.

AFFIRMATION

1. ☐ PUBLIC ADMINISTRATOR: No affirmation required (Prob. Code, § 7621(c)).
2. ☒ INDIVIDUAL: I solemnly affirm that I will perform the duties of personal representative according to law.
3. ☐ INSTITUTIONAL FIDUCIARY (name):

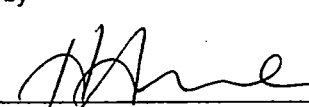
I solemnly affirm that the institution will perform the duties of personal representative according to law. I make this affirmation for myself as an individual and on behalf of the institution as an officer.
 (Name and title):

4. Executed on (date): 10/18/18
 at (place): Paradise, California.

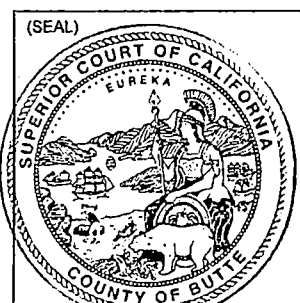

 (SIGNATURE)

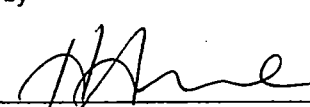
CERTIFICATION

I certify that this document is a correct copy of the original on file in my office and the letters issued the personal representative appointed above have not been revoked, annulled, or set aside, and are still in full force and effect.

(SEAL) <div style="border: 1px solid black; height: 100px; width: 100%;"></div>	Date: Clerk, by <div style="text-align: center; padding: 10px;"> <u></u> (DEPUTY) H. AVRIT </div>
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WITNESS, clerk of the court, with seal of the court affixed.



Date: **OCT 19 2018**
 Clerk, by **KIMBERLY FLENER**

 (DEPUTY)
H. AVRIT

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EXHIBIT B

Letters of Administration
issued November 26, 2019

10/2/2019

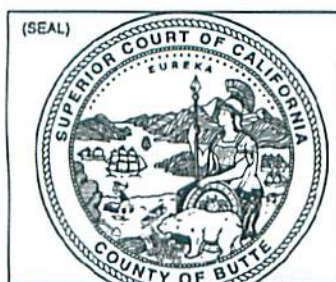
DE-150

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Mark Johnson 142984 Attorney at Law 2531 Forest Avenue Suite 100 Chico, CA 95928 ATTORNEY FOR (Name) Glen Eaton		TELEPHONE AND FAX NOS.: (530) 345-6801 (530) 302-3592	FOR COURT USE ONLY Superior Court of California County of Butte 11/26/2019 By <i>Kimberly Fleener</i> Clerk <i>Electronically FILED</i> Deputy
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Butte STREET ADDRESS: 1775 Concord Avenue MAILING ADDRESS: 1775 Concord Avenue CITY AND ZIP CODE: Chico, 95928 BRANCH NAME: North Butte Courthouse			
ESTATE OF (Name): Arvel Russell Rogers		DECEDENT	
LETTERS <input type="checkbox"/> TESTAMENTARY <input type="checkbox"/> OF ADMINISTRATION WITH WILL ANNEXED		<input checked="" type="checkbox"/> OF ADMINISTRATION <input type="checkbox"/> SPECIAL ADMINISTRATION	
		CASE NUMBER: 19PR00451	

LETTERS

- ☐ The last will of the decedent named above having been proved, the court appoints (name):
 - ☐ executor.
 - ☐ administrator with will annexed.
- ☒ The court appoints (name): **Glen Eaton**
 - ☒ administrator of the decedent's estate.
 - ☐ special administrator of decedent's estate
 - ☐ with the special powers specified in the *Order for Probate*
 - ☐ with the powers of a general administrator.
 - ☐ letters will expire on (date):
- ☒ The personal representative is authorized to administer the estate under the Independent Administration of Estates Act ☒ with full authority ☐ with limited authority (no authority, without court supervision, to (1) sell or exchange real property or (2) grant an option to purchase real property or (3) borrow money with the loan secured by an encumbrance upon real property).
- ☐ The personal representative is not authorized to take possession of money or any other property without a specific court order.

WITNESS, clerk of the court, with seal of the court affixed.


 Date: 11/26/2019
KIMBERLY FLENER
 Clerk, by

 (DEPUTY)
AFFIRMATION

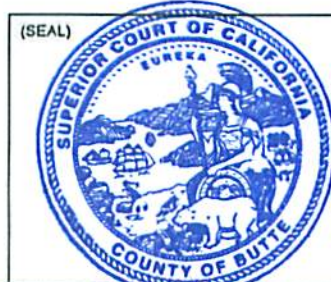
- ☐ PUBLIC ADMINISTRATOR: No affirmation required (Prob. Code, § 7621(c)).
- ☒ INDIVIDUAL: I solemnly affirm that I will perform the duties of personal representative according to law.
- ☐ INSTITUTIONAL FIDUCIARY (name):

I solemnly affirm that the institution will perform the duties of personal representative according to law. I make this affirmation for myself as an individual and on behalf of the institution as an officer.
 (Name and title):

- Executed on (date): 10/1/2019
 at (place): **Chico**, California.

 (SIGNATURE)
CERTIFICATION

I certify that this document is a correct copy of the original on file in my office and the letters issued the personal representative appointed above have not been revoked, annulled, or set aside, and are still in full force and effect.


 Date: **JAN 24 2020**
KIMBERLY FLENER
 Clerk, by

 (DEPUTY)

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EXHIBIT B

Filed Proof of Claim

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO DIVISION)

In re:
PG&E CORPORATION,
- and -
PACIFIC GAS AND ELECTRIC
COMPANY,
Debtors.

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11
(Lead Case)
(Jointly Administered)

Proof of Claim (Fire Claim Related)

Read the instructions before filing this claim form. This form is for tort claimants who have a claim against the Debtors (i.e. PG&E Corporation and Pacific Gas and Electric Company) that arose prior to the Debtors filing for bankruptcy (i.e. prior to January 29, 2019) and that arose from, or relates to, a fire.

Do not use this form for non-fire claims. Non-fire tort claimants should use Form 410.

Do NOT file a fraudulent claim. A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Please type or print in the spaces below. Do NOT use red ink or pencil.

Part 1: Identify the Claim

1. Who is the current creditor?	Glen Eaton, Administrator of Estate of Arvel Russell Rogers BCSC 19 PR 00451 Name of the current creditor (the person or entity to be paid for this claim)	
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
3. Are you filing this claim on behalf of your family? A family is a group of two or more people related by birth, marriage, domestic partnership, or adoption and residing together. All such people are considered as members of one family.	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If you checked "Yes", please provide the full name of each family member that you are filing on behalf of: _____	
4. Where should notices and payments to the creditor be sent? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Where should notices to the creditor be sent? Glen Eaton, Administrator of Estate of Arvel Russell Rogers BCSC 19 PR Name: 00451 Attorney Name (if applicable): Baghdadi, Khaldoun Attorney Bar Number (if applicable): 190111 Street Address: 650 CALIFORNIA ST., 26TH FLOOR City: SAN FRANCISCO State: CA Zip Code: 94108 Phone Number: (415)981-7210 Email Address: kbaghdadi@walkuplawoffice.com	Where should payments to the creditor be sent? (if different) Name: _____ Attorney Name (if applicable): _____ Attorney Bar Number (if applicable): _____ Street Address: _____ City: _____ State: _____ Zip Code: _____ Phone Number: _____ Email Address: _____
5. Does this claim amend one already filed?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Claim number on court claims registry (if known) 103488 Filed on 4/30/2020 MM / DD / YYYY	
6. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

Part 2: Give Information About the Claim as of the Date this Claim Form is Filed

7. What fire is the basis of your claim? Check all that apply.	<input checked="" type="checkbox"/> Camp Fire (2018) <input type="checkbox"/> North Bay Fires (2017) <input type="checkbox"/> Ghost Ship Fire (2016) <input type="checkbox"/> Butte Fire (2015) <input type="checkbox"/> Other (please provide date and brief description of fire: _____)
8. What are the loss location(s) where you and/or your family suffered harm? (e.g. home or business address, place of injury, place from which you were evacuated, if different.)	Location(s): 8132 Skyway, Paradise, CA 95969-3316 8122 Skyway, Paradise, CA 95969-3316 8099 Skyway, Paradise, CA 95969-3314
9. How were you and/or your family harmed? Check all that apply	<input checked="" type="checkbox"/> Property Damage (homes, structures, personal property, land, trees, landscaping, and all other property damage) <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Renter <input type="checkbox"/> Occupant <input type="checkbox"/> Other (Please specify): _____ <input checked="" type="checkbox"/> Personal Injury <input type="checkbox"/> Wrongful Death (if checked, please provide the name of the deceased) Name: _____ <input checked="" type="checkbox"/> Business Loss/Interruption <input checked="" type="checkbox"/> Lost wages and earning capacity <input checked="" type="checkbox"/> Loss of community and essential services <input type="checkbox"/> Agricultural loss <input type="checkbox"/> Other (Please specify): _____
10. What damages are you and/or your family claiming/seeking? Check all that apply	<input checked="" type="checkbox"/> Economic damages (including replacement cost of damaged property, diminution in value, loss of use, lost inventory, lost profits, and other economic damage) <input checked="" type="checkbox"/> Non-economic damages (including loss of society and support, loss of consortium, pain and suffering, emotional distress, annoyance and discomfort, and other non-economic damage) <input checked="" type="checkbox"/> Punitive, exemplary, and statutory damages <input checked="" type="checkbox"/> Attorney's fees and litigation costs <input checked="" type="checkbox"/> Interest <input checked="" type="checkbox"/> Any and all other damages recoverable under California law <input type="checkbox"/> Other (Please specify): _____
11. How much is the claim?	_____ (optional) <input checked="" type="checkbox"/> Unknown / To be determined at a later date

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

☐ I am the creditor.

☒ I am the creditor's attorney or authorized agent.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 04/29/2020 (mm/dd/yyyy)

/s/Khaldoun Baghdadi

Signature

Name	<u>Khaldoun</u>	<u>Baghdadi</u>
	First name	Middle name Last name

Title	<u>Shareholder</u>
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Company	<u>Walkup, Melodia, Kelly & Schoenberger</u>
	Identify the corporate servicer as the company if the authorized agent is a servicer.

Address	<u>650 California Street, 26th Floor</u>		
	Number	Street	
	<u>San Francisco</u>	<u>CA</u>	<u>94108</u>
	City	State	ZIP Code

Contact phone	<u>4159817210</u>	Email	<u>kbaghdadi@walkuplawoffice.com</u>
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